

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1661 of 2017

Arising Out of PS.Case No. -40 Year- 2016 Thana -TIYAR District- BHOJPUR

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Nitu Devi W/o Amit Kumar Choubey R/o Village-Sikariya, P.S. Tiya
District-Bhojpur Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Harsh Singh

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 04-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends her arrest in connection with Tiya
P.S. Case No. 40 of 2016 registered for the offence punishable
under Sections 304B/34 of the Indian Penal Code.

Krishna Devi, the daughter of the informant, was married
to Sumit Chaubey @ Bhola Chaubey in the year 2011 and
thereafter, Sumit Chaubey and his mother started demanding
dowry and for that Krishna Devi was being tortured and assaulted.
Sumit Chaubey developed illicit relationship with his bhabhi
(petitioner) and thereafter, the husband and other in-laws killed
her by burning which was told by Krishna Devi.

Submission is of false implication and that the petitioner is
living separately at Shahpur (Danapur) where her children are
studying, her husband is in military service. The informant after



knowing the reality filed compromise petition stating that his daughter Krishna Devi died due to accidental fire and as such the petitioner deserves sympathetic consideration.

Learned APP fairly submits that now the informant is retracting from his earlier version.

In the facts and circumstances stated above, the petitioner above named, in case of her surrender or arrest within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Raghbir Prasad, J. M. Ist Class, Ara in connection with Tiwar P.S. Case No. 40 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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